



Reid-Kennedy Bill Would Require Some Foreign Workers to be Paid More than American Workers for the Same Job

Today's *Washington Times* examines a provision in the Reid-Kennedy Senate Immigration bill that would require certain foreign workers to be paid more than American workers doing the same job.

This provision, among others, will be examined at the [House Education and the Workforce Committee hearing next Wednesday, July 19th](#). The hearing will take a broad look at the impact of the Reid-Kennedy bill on American workers and their workplaces.

Senate bill seeks more pay for aliens

By Charles Hurt

THE WASHINGTON TIMES

July 13, 2006

The Senate immigration bill would require that foreign construction laborers here under the guest-worker program be paid well above the minimum wage, even as American workers at the same work site could earn less.

The bill "would guarantee wages to some foreign workers that could be higher than those paid to American workers at the same work site," says a policy paper released this week by the Senate's Republican Policy Committee. "This is unfair to U.S. workers, inappropriate, and unnecessary."

The 11-page, harshly critical analysis of the Senate immigration bill on this one point reveals how torn Senate Republicans are over the larger issue of immigration.

Though the bill was supported by Majority Leader Bill Frist of Tennessee and Majority Whip Mitch McConnell of Kentucky, it was opposed by the rest of the Senate Republican leadership and a majority of Republicans in the chamber. And despite the support of Mr. Frist and Mr. McConnell, this week's policy paper critical of the wage guarantees for foreign workers marks the official stance of the Republican Policy Committee, which formulates and implements the policies of the caucus.

Across the Capitol, House Republicans are no more charitable about the Senate's immigration bill. They announced yesterday seven new House hearings for later this month into how bad they think the Senate bill is. One such hearing is titled: "Do the Reid-Kennedy bill's amnesty provisions repeat the mistakes of the Immigration Reform and Control Act of 1986?"

House Republicans are so critical of the Senate bill that they can't bring themselves to call it by the name of any of the several Republicans who played a larger role in passing it than Senate Minority Leader Harry Reid of Nevada or Sen. Edward M. Kennedy, Massachusetts Democrat.

"Two-thirds of the people who voted for that bill coming out of the Senate were Senate Democrats, led by Harry Reid and Senator Kennedy. So, it's the Reid-Kennedy bill," House Majority Leader John A. Boehner said yesterday when asked why he refuses to credit any of the Republicans who were instrumental in drafting the bill or any of the 23 Senate Republicans who voted for it.

For their part, Democrats have begun calling it the "Frist-McCain" bill, a reference to Mr. Frist and Sen. John McCain, the Arizona Republican who has been one of the chief architects of the Senate bill.

Back in the Senate yesterday, Judiciary Committee Chairman Arlen Specter had an even harsher analysis of those -- mostly fellow Republicans -- who oppose the Senate's approach, which would grant citizenship rights to some 10 million illegal aliens.

A recent article he read about immigration in Time magazine, he said during a hearing on immigration, "was right on target in identifying the underlying racism and xenophobia which really grips us despite our denial of it."

But provisions of the Senate bill such as the wage guarantee for foreign workers raise concerns among more than just racists and xenophobes.

"That certainly is negotiable to me," Mr. McCain said yesterday.

The Davis Bacon Act of 1931 (DBA) requires that the local prevailing wage be paid to all workers employed in federally contracted construction or projects done for the District of Columbia. Those wages -- up to four or five times higher in some fields than the federal minimum wage of \$5.15 per hour -- are set by the Department of Labor.

The Senate's immigration bill would require that the higher wages be paid to foreign temporary workers in all construction occupations, even if the project isn't federally funded and doesn't otherwise fall under DBA.

"In other words, foreign workers employed in a construction job for which a DBA wage rate has been determined could be guaranteed wages higher than those paid to American workers doing the same job on the same private construction project for the same employer," the policy paper reports.

The DBA wage rate for an air conditioning mechanic in Alexandria or Montgomery County, for instance, is \$30.27 an hour. That mechanic also is guaranteed paid holidays for New Year's Day, Martin Luther King's birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving and Christmas Day.

In other immigration bill matters, Mr. Reid late yesterday killed an effort by Republicans to close a loophole in a federal law that bars federal immigration officials from quickly returning to their home country Salvadorans who are caught sneaking into the country. The provision dates from 1988, when El Salvador was riven by a civil war that has long since been settled.

Reid spokesman Jim Manley said the Democratic leader supports treating Salvadorans the same as everyone else but, he said, the amendment is too broad and had parliamentary problems.

- *Jeffrey Sparshott contributed to this report.*

House Republican Conference Press Office
202a Cannon HOB
(202) 226-9000

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